Appl. No. 10/697,451
Amdt. Dated December 6, 2007
Reply to Office Action of August 8, 2007

Attorney Docket No. 83394.0018
Customer No.: 26021

REMARKS

This application has been carefully reviewed in light of the Final Office Action dated August 8, 2007. Claims 1-14 remain in this application. Claims 1, 6, 13 and 14 are the independent Claims. Claims 1, 3-6, 13 and 14 have been amended. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

Interview Summary

Applicant thanks the examiner for the courtesy extended in telephone interview dated December 06, 2007. The substantive matter of the interview is incorporated in the present response.

Non-Art Based Rejection

Claims 1-5 were rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. In response, Claims 1 and 3-5 are amended to address the concerns expressed in the Office Action. Reconsideration and withdrawal of the above § 112 rejections are respectfully requested.

Art-Based Rejections

Claims 1-7, 9-11, 13 and 14 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,021,402 (Takriti '402) in view of U.S. Patent No. 5,873,251 (Iino); Claims 8 and 12 were rejected under §103(a) over Takriti '402 in view of Iino and further in view of U.S. Patent No. 5,974,403 (Takriti '403).

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Applicant respectfully traverses the rejections and submits that the claims herein are patentable in light of the clarifying amendments above and the arguments below.

The Takriti '402 Reference

Takriti '402 is directed to a Lagrangian relaxation based stochastic model *(see Takriti '402; FIG. 4 and 5)*.

The Iino Reference

Iino is directed to an evaluation function J:

Evaluation function:

$$J = \sum_{j=1}^{j\max} \left[\sum_{i=1}^{n} (-\alpha_i \cdot u_i(k+j) + \alpha_r(k+j) \cdot E_{ene}(k+j)) \right.$$

(see Iino; Col. 6, expression (9)).

The Takriti '403 Reference

Takriti '403 is directed to a computer for forecasting spot-market prices of electric power at different delivery points *(see Takriti '403; Abstract)*.

The Claims are Patentable Over the Cited References

The present application is generally directed to a method, computer equipment and computer program for planning electric power generation and trade.

As defined by amended independent Claim 1, in a planning system that makes plans of electric power generation and electric power trade, a computer implemented method for an electric power generating plan and an electrical power trading plan includes the steps of determining a stochastic distribution of uncertain

factors included in an expected balance generated from the electric power generating plan and the electric power trading plan based on an autoregressive moving average model. The stochastic distribution of uncertain factors is presented in a time-series form. The uncertain factors are prediction errors caused by annulment of the electric power trading plan.

The applied references do not disclose or suggest the features of the present invention as defined by amended independent Claim 1. In particular, the applied references do not disclose or suggest, "determining a stochastic distribution ...based on an autoregressive moving average model," as required by amended independent Claim 1.

Iino discloses at column 6, lines 5-10, an evaluation function J:

Evaluation function:

$$J = \sum_{j=1}^{j\max} \left[\sum_{i=1}^{n} (-\alpha_i \cdot u_i(k+j) + \alpha_e(k+j) \cdot E_{out}(k+j)) \right]$$

The evaluation function J implies a profit produced by the utility plant, obtained by subtracting fuel costs from an electricity sale profit. An autoregressive moving average model is clearly not disclosed.

In contrast, the present invention requires a stochastic distribution based on an autoregressive moving average model. This feature allows for the planning of electric power generation and trade, and especially to evaluating the power demands and cost-return balances and assist to make optimum plans for generator operations and electric power trade contracts (See Specification; Page 1, lines 7-12).

Thus, Iino does not disclose or suggest this feature of the present invention as required by amended independent Claim 1. Takriti '402 and '403 do not remedy the deficiencies of Iino.

Since the applied references fail to disclose, teach or suggest the above features recited in amended independent Claim 1, those references cannot be said to anticipate nor render obvious the invention which is the subject matter of that claim.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

Applicant respectfully submits that amended independent Claims 6, 13 and 14 are allowable for at least the same reasons as discussed above with reference to amended independent Claim 1 and such allowance is respectfully requested.

The remaining claims depend either directly or indirectly from amended independent Claims 1, 6, 13 and 14 and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references and are therefore also believed to be in condition for allowance.

Conclusion

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(a). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(b). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

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Lastly, admission is requested under 37 C.F.R. § 1.116(a) as presenting rejected claims in better from for consideration on appeal.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.
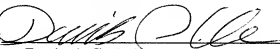
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310)-785-4721 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: December 6, 2007   By:

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